

**United States District Court**  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
OCT 23 2006

DAVID J. MALAND, CLERK

BY  
DEPUTY \_\_\_\_\_

UNITED STATES OF AMERICA

§

§

vs.

§

§

PATNIE LE HANKINS

§

Case No. 4:05CR92  
(Judge Schneider)

**REPORT AND RECOMMENDATION**  
**OF UNITED STATES MAGISTRATE JUDGE**

Pending before the Court is the request for revocation of Defendant's supervised release. After the District Court referred the matter to this Court for a report and recommendation, the Court conducted a hearing on August 24, 2006 to determine whether the Defendant violated her supervised release. The Defendant was represented by Denise Benson. The Government was represented by Josh Burgess.

On February 9, 2006, the Defendant was sentenced by the Honorable United States District Judge Michael H. Schneider to 9 months imprisonment followed by a 2-year term of supervised release for the offense of Possession of Stolen Mail. On April 26, 2006, Defendant began her supervised release.

On July 31, 2006, the U.S. Probation Officer filed a Petition for Warrant or Summons for Offender Under Supervision. The petition asserted that the Defendant violated the following conditions: (1) Defendant shall not commit another federal, state, or local crime; (2) Defendant shall report to the probation officer and shall submit truthful and complete written reports within the first five days of each month;

(3) Defendant shall notify the probation officer at least ten days prior to any change in residence or employment; and (4) Defendant shall participate in a program of testing and treatment for drug abuse, under the guidance and direction of the U.S. Probation Office, until such time as the defendant is released from the program by the probation officer.

The petition alleges Defendant committed the following acts: (1) On May 30, June 9, June 19, and June 27, 2006, Defendant failed to report to the U.S. Probation Office as directed; (2) Defendant failed to submit a written monthly report for the month of June 2006; (3) On June 23, 2006, U.S. Probation Officer Linda Werner conducted a home visit at 432 Dogwood, Princeton, Texas, and was informed by Defendant's grandmother, Verna Rutledge, that Defendant no longer lived at said residence and residence was unknown; (4) Defendant failed to attend substance abuse treatment at Forensic Treatment, Plano, Texas as directed in May 2006; and (5) Defendant failed to submit to drug testing, as directed, on May 23, June 2, 5, 8, 13, 21, and 26, and July 3 and 12, 2006.

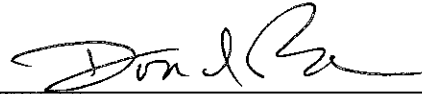
Prior to the Government putting on its case, the Defendant entered a plea of true to the above listed violations. At the hearing, the Court recommended that the Defendant's supervised release be revoked.

#### **RECOMMENDATION**

The Court recommends that the District Court revoke Defendant's supervised release. Pursuant to the Sentencing Reform Act of 1984, the Court recommends that

Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a term of six (6) months, with thirty (30) months of supervised release to follow, and if possible, drug treatment within the first forty (40) days of the supervised release.

Signed this 29 day of August, 2006.

A handwritten signature in black ink, appearing to read "Don D. Bush", written over a horizontal line.

DON D. BUSH  
UNITED STATES MAGISTRATE JUDGE